

ADDENDUM NO. 1
TO THE SHORELINE MANAGEMENT PROGRAM
FINAL SUPPLEMENTAL ENVIRONMENTAL
IMPACT STATEMENT

Prepared Consistent with

The Washington State Environmental Policy Act of 1971
Chapter 43.21C Revised Code of Washington
Chapter 197-11, Washington Administrative Code
Snohomish County Code Title 30



Snohomish County
Department of Planning and Development Services

Date of Issuance: November 6, 2013

FACT SHEET

Project Title:	Shoreline Management Program – Commercial Shellfish Aquaculture
Proposed Non-Project Action:	The proposed non-project action is to adopt regulations and permit requirements, amending chapters 30.67 and 30.44 SCC, addressing new proposals for commercial shellfish aquaculture.
Purpose of the Addendum:	<p>This addendum adds information relating to the non-project programmatic County action described above but does not result in any new significant adverse environmental impact and does not change the analysis of previously identified significant adverse impacts in the Draft Environmental Impact Statement (DEIS), the Final Environmental Impact Statement (FEIS), the Supplemental DEIS (SDEIS) and the Final Supplemental EIS (FSEIS) for the Snohomish County (County) Shoreline Management Program (SMP). (DEIS issued May, 2006, FEIS issued June, 2006, SDEIS issued June, 2010, and FSEIS issued August, 2010, by Snohomish County).</p> <p>No additional significant impacts beyond those identified in the SMP DEIS, FEIS, SDEIS and FSEIS are expected to occur. Revisions to the proposed non-project action may be considered during the public hearing process. To the extent that the existing environmental documents listed in this addendum or other published documents have analyzed such revisions and have been adopted by reference; no additional programmatic non-project action level environmental review will be required.</p>
Description of Proposal:	Adopt new SMP regulations that will expand the areas where new commercial shellfish aquaculture may locate. New commercial shellfish aquaculture will be conditionally permitted within critical saltwater habitat areas subject to a shoreline conditional use permit (shoreline CUP). The proposed regulations include expanded permit submittal requirements, performance standards and review criteria necessary to obtain shoreline CUP approval. A critical area study would be required for any proposal located within a critical saltwater habitat and a mitigation plan would be required for any identified impacts. To obtain approval, the proposal must meet a “no net loss of shoreline ecological functions” standard. The Washington State Department of Ecology (DOE) is responsible for final permit approval of shoreline CUPs.
Location of Proposal:	Snohomish County
Action Sponsor/ Lead Agency:	Snohomish County Department of Planning & Development Services 3000 Rockefeller Avenue, M/S 604 Everett, Washington 98201-4046

Required Approval/ Review: Snohomish County Council adoption of an ordinance amending the SMP and Washington State Department of Ecology approval of SMP amendments.

Circulation and Comment: This Addendum is being circulated according to WAC 197-11-625. Addenda do not require a comment period.

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Date of Issuance: November 6, 2013

**Responsible Official/
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Everett, Washington 98201-4046

Signature 
Clay White, Director

Tentative date of Adoption: December 11, 2013 County Council adoption of the SMP amendments.

Public Hearings: County Council public hearings on the proposal will be held beginning on December 11, 2013 (tentative pending scheduling by County Council).

Documents: Copies of the following documents are available for review at the offices of Snohomish County Planning and Development Services (see address above):

Proposed ordinance amending the SMP to add the new provisions for commercial shellfish aquaculture entitled "AN ORDINANCE RELATING TO THE REGULATION OF AQUACULTURE ACTIVITIES, AMENDING PORTIONS OF THE SNOHOMISH COUNTY SHORELINE MANAGEMENT PROGRAM, CHAPTERS 30.44, 30.67, AND 30.91A SCC AND RESOLVING AN APPEAL OF THE COUNTY'S SHORELINE MANAGEMENT PROGRAM".

The Snohomish County Shoreline Management Program, July 2012 Draft Environmental Impact Statement of the Proposed Shoreline Management Program, May 2006

Final Environmental Impact Statement of the Proposed Shoreline Management Program, June 2006

Supplemental Draft Environmental Impact Statement of the Proposed Shoreline Management Program, June 2010

Final Supplemental Environmental Impact Statement of the Proposed Shoreline Management Program, August 2010

PROPOSED ACTIONS AND ENVIRONMENTAL REVIEW

Overview:

The adoption of amendments to the SMP is a non-project action under the Washington State Environmental Policy Act (SEPA), Chapter 43.21 RCW. This Addendum is not intended to satisfy individual project action SEPA requirements (for example, the review needed for a future site-specific land use or building permit application). This Addendum does not significantly change the analysis of impacts and alternatives contained in the SMP DEIS, FEIS, SDEIS and FSEIS, nor does it identify new or significantly different impacts.

Prior Environmental Review

The elements of the environment addressed in the SMP DEIS, FEIS, SDEIS and FSEIS included elements of both the natural and built environment: earth, air, water, plants and animals, energy and natural resources, environmental health, population and employment, land and shoreline use, transportation, public services, and utilities.

EIS Addendum Environmental Review

According to the SEPA Rules in Chapter 197-11 WAC, an Addendum to an EIS provides additional analysis and/or information about a proposal or alternatives where their significant environmental impacts have been disclosed and identified in a previous environmental document (WAC 197-11-600(3)(b)(ii)). An Addendum is appropriate when the impacts of the new proposal are the same general types as those identified in prior documents and when the new analysis does not substantially change the analysis of significant impacts and alternatives identified in the prior environmental documents (WAC 197-11-600(4)(c), WAC 197-11-706).

This Addendum is being issued pursuant to WAC 197-11-625 to meet the County's SEPA responsibility. The SMP DEIS, FEIS, SDEIS and FEIS evaluated potential impacts that encompassed similar general policy direction, land use patterns, and environmental impacts that are expected to be associated with the proposal that is the subject this Addendum.

The proposal does not substantially change the analysis of significant impacts described in the existing environmental documents. No additional significant impacts beyond those identified in the SMP DEIS, FEIS, SDEIS and FSEIS are expected to occur.

Proposal for Commercial Shellfish Aquaculture

Prior to DOE's approval of the SMP in July 2012, commercial shellfish activities were allowed in every shoreline environment. The SMP prohibited new commercial aquaculture in Natural shoreline environments and in all "critical saltwater habitats". Because of how "critical saltwater habitats" are defined and mapped along saltwater shorelines in Snohomish County, most of the Puget Sound shoreline in Snohomish County is "critical saltwater habitat" which resulted in nearly a total prohibition of commercial aquaculture in the County. A near-total prohibition of this use is not consistent with the intent of the Shoreline Management Act to preserve shorelines for water-dependent economic uses where the impacts from such uses on shoreline ecological functions can be avoided or minimized and mitigated. The Shellfish Initiative signed by Governor Gregoire in December 2011 further supports this use of Washington's shorelines and highlights the importance of commercial shellfish aquaculture to the Washington's economy. Commercial shellfish aquaculture is clearly a water-dependent use supported and encouraged in the Shoreline Management Act. This economic activity also supports the statewide interest and is a preferred use of the Washington's shorelines.

In any case, commercial shellfish aquaculture is limited in where it can be located due to site-specific factors and subject to approval by the Washington State Department of Health (DOH). Commercial shellfish operations may only obtain the necessary approvals from DOH if located within a DOH-approved commercial shellfish bed. Such approved commercial shellfish beds are included in the definition of "critical saltwater habitat." If commercial shellfish operations are restricted from locating in critical saltwater habitat, then this restriction becomes a de facto prohibition because they are prevented from locating in the only place where they can legally operate – in DOH-approved commercial shellfish beds. Because this use is a preferred use under the SMA, to be consistent with the SMA, it must be allowed within critical saltwater habitat.

Any commercial shellfish aquaculture must also meet the performance standards required under the SMA and demonstrate "no net loss of shoreline ecological functions". To document that this no net loss standard can be met for new commercial shellfish proposals, the amendments proposed to the SMP require the applicant to submit a critical area study analyzing the potential impacts to shoreline ecological functions and any other elements of the critical saltwater habitat that may be present (i.e., eelgrass beds, forage fish rearing and spawning areas, etc.), and proposing solutions that avoid, or minimize and mitigate impacts. In addition to expanded submittal requirements, the proposed amendments include performance standards and review criteria designed to address and mitigate potential impacts on the natural environment and on other shoreline users and adjacent properties. In addition to approval from the DOH, new commercial shellfish operations would be subject to a rigorous permit review process requiring approval from both the County and the DOE through the shoreline CUP process.

This proposed ordinance will amend the County's SMP to allow new commercial shellfish aquaculture located within a critical saltwater habitat, subject to approval of a shoreline CUP by DOE. The amendments include new criteria for review and approval of the permit, including submittal requirements, performance standards and mitigation measures affording special attention to, and protection of critical saltwater habitats. The standard required by the Shoreline Management Act requires that new commercial shellfish operations achieve a "no net loss" standard for shoreline ecological functions. This standard is incorporated into the amended regulations.

While this proposed ordinance would allow new commercial shellfish aquaculture along a greater extent of the County's shoreline than allowed under the SMP approved by DOE in July 2012, these proposed amendments are more restrictive than the shoreline provisions in place prior to July 2012. Under the County's Shoreline Management Master Program, which was in effect prior to DOE approving the SMP, a shoreline CUP was only required in the Urban, Suburban and Natural environments with the use permitted outright in the Conservancy and Rural environments. These proposed regulations would prohibit new commercial aquaculture in Natural, Urban Conservancy and Municipal Watershed shoreline environments, and require that all new commercial aquaculture proposals obtain a shoreline CUP in all other shoreline environments. Adoption of this proposed ordinance will result in better protection of shoreline ecological functions than those in place prior to July 2012. In addition, the proposed requirements for permit submittal, performance standards and review criteria necessary to obtain shoreline CUP approval provide added protection for critical saltwater habitat.

APPENDIX A

Distribution List

Federal Agencies

U.S. Natural Resource Conservation
U.S. Environmental Protection Agency
U.S. Fish and Wildlife Service

U.S. Army Corps of Engineers
National Marine Fisheries
U.S. Department of Agriculture, Forest Service

State Agencies

The Office of the Governor
Department of Ecology
Department of Natural Resources
Department of Commerce
Department of Agriculture
Department of Social and Health Services
Utilities & Transportation Commission
Department of Corrections

Department of Fish & Wildlife
Department of Health
Department of Transportation
WA State Energy Office
Office of Archaeology and Historical Preservation
Parks and Recreation Commission
Department of Transportation, Northwest Region
Interagency Committee on Outdoor Recreation

Regional Agencies and Interest Groups

Puget Sound Partnership
Puget Sound Clean Air Agency

Puget Sound Regional Council
Regional Transit Authority

Snohomish County Agencies and Interest Groups

Snohomish County Department of Public Works
Snohomish County Sheriff
Snohomish County Surface Water Management Division
1000 Friends of Snohomish County
Action Council for Esperance
Agriculture Tomorrow
Arlington Heights Comm.
Canyon Firs Homeowners Assn.
Community Transit
Crestline Estates Action
Economic Development Council of Snohomish Co.
Edmonds Chamber of Commerce
Everett Chamber of Commerce
Everett Transit
Friends of Florence Acres
Futurewise
Housing Authority of Snohomish County
Jordan Road Citizens
Kayak Pt. Citizens Group
League of Women Voters
Little Bear Cr. Protective Assn.
Martha Lake Community Club
Martha Lake Homeowners
Master Builders Assoc. of King and Snohomish Co.

Snohomish County Parks and Recreation Department
Snohomish County Solid Waste Division
Snohomish Health District
McKee's Evergreen Beach
Newberg Organization
North Creek Rural Areas
North Marysville Citizens
Picnic Point Community
Pilchuck Audubon Society
Possession Bay Association
Professional Consultants
Silver Lake Action Comm.
Smartgrowth Campaign
Snohomish Arlington Trail Coalition
Snohomish County Conservation District
Snohomish County/Camano Island Board of Realtors
Snohomish Wetlands Alliance
So. Sno. Co. Chamber of Commerce
Sound Transit
Stillaguamish Citizens Alliance
Swamp Creek Locust Way
Tom Ehrlichman
Wandering Creek Homes

Neighboring Planning Departments

Island County Planning Dept.
Skagit County Planning Dept.

King Co. Dev. & Environ. Services Dept.
Chelan County Planning Dept.

Tribes

Muckleshoot Tribes
Sauk/Suiattle Tribe

Tulalip Tribes
Stillaguamish Tribe

Utilities

Alderwood Water District
Lake Stevens Sewer District
Olympic View Water and Sewer District
Silver Lake Water and Sewer
Snohomish County PUD No. 1
Highland Water Assn.
Seven Lakes Water Assn.
Sky Meadow Water Assn., Inc.
Puget Sound Energy

Cross Valley Water District
METRO
Mukilteo Water District
Diking District #2
Cascade Natural Gas
Roosevelt Water Assn.
Three Lakes Water Assn.
King Co. Wastewater Treatment Division

Cities

City of Arlington
City of Brier
City of Edmonds
City of Gold Bar
Town of Index
City of Lynnwood
City of Mill Creek
City of Mountlake Terrace
City of Snohomish
City of Sultan
Tulalip Tribes

City of Bothell
Town of Darrington
City of Everett
City of Granite Falls
City of Lake Stevens
City of Marysville
City of Monroe
City of Mukilteo
City of Stanwood
Town of Woodway

School Districts

Arlington School District
Edmonds School District #15
Granite Falls School District
Lake Stevens School District
Marysville School District
Mukilteo School District
Snohomish School District
Sultan School District

Darrington School District
Everett School District
Index School District
Lakewood School District
Monroe School District
Northshore School District
Stanwood School District

Fire Districts & Ports

Fire District 1 South County
Fire District 4 Snohomish
Fire District 7 Clearview
Fire District 10 Bothell
Fire District 12 Marysville
Fire District 15 Tulalip
Fire District 17 Granite Falls
Fire District 19 Silvana
Fire District 21 Arlington
Fire District 23 Robe
Fire District 25 Oso
Fire District 27 Hat Island
Paine Field Fire District

Fire District 3 Monroe
Fire District 5 Sultan
Fire District 8 Lake Stevens
Fire District 11 Silver Lakes
No. County Regional Fire Authority
Fire District 16 Lake Roesiger
Fire District 28 Index
Fire District 22 Getchell
Fire District 24 Darrington
Fire District 26 Gold Bar
Port of Everett
Port of Edmonds

Newspapers

The Herald
Arlington Times
Snohomish County Tribune
Mukilteo Beacon
Monroe Monitor
Marysville Globe
Bothell-Kenmore Reporter

Lake Stevens Journal
Seattle Times-North Bureau
Seattle PI
Mill Creek Enterprise
Woodinville Weekly
Enterprise Newspaper
The Edmonds Beacon

Libraries

Arlington Library
Brier Public Library
Edmonds Public Library
Granite Falls Library
Lynnwood Public Library
Mill Creek Library
Mountlake Terrace Library
Sno-Isle Regional Library
Stanwood Library

Bothell Library
Darrington Library
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